

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : William R. Hambrecht et al. Art Unit : 2164
Serial No. : 09/347,949 Examiner : Charles Kyle
Filed : July 6, 1999
Title : AUCTION SYSTEM AND METHOD FOR PRICING AND ALLOCATION
DURING CAPITAL FORMATION

Commissioner for Patents
Washington, D.C. 20231

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b) W.R. HAMBRECHT + CO., LLC, a California corporation, certifies that it is the assignee of 100% of the right, title and interest in the patent application identified above by virtue of:

An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 010292, Frame 0981 on October 7, 1999. A copy of the recorded Assignment is attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the application and appoints:

John F. Hayden, Reg. No. 37,640; Joseph F. Key, Reg. No. 44,827; W. Karl Renner, Reg. No. 41,265; Scott R. Boalick, Reg. No. 42,337; Andrew F. Bodendorf, Reg. No. 39,537; Joseph V. Colaianni, Jr., Reg. No. 39,948; John F. Conroy, Reg. No. 45,485; Ruffin B. Cordell, Reg. No. 33,487; Christopher A. Cotropia, Reg. No. 47,501; Lauren A. Degnan, Reg. No. 40,584; Diana DiBerardino, Reg. No. 45,653; Brian J. Dorini, Reg. No. 43,594; Benjamin D. Driscoll, Reg. No. 41,571; Harold H. Fox, Reg. No. 41,498; William D. Hare, Reg. No. 44,739; Linda Liu Kordziel, Reg. No. 39,732; Phyllis K. Kristal, Reg. No. 38,524; Michael J. McKeon, Reg. No. 37,888; Heather Morin, Reg. No. 37,336; James E. Mrose, Reg. No. 33,264; Thomas A. Rozylowicz, Reg. No. P-50,620; Shailaja M. Shirodkar, Reg. No. 50,171; Rene D. Tegtmeier, Reg. No. 33,567; Mark E. Wadrzyk, Reg. No. 45,187; Gregory A. Walters, Reg. No. 41,366; R. Whitney Winston, Reg. No. 44,432

FISH & RICHARDSON P.C.
1425 K Street, N.W.

Applicant : William R. Hambrecht et al.
Serial No. : 09/347,949
Filed : July 6, 1999
Page : 2

Attorney's Docket No.: 13085-007001

11th Floor
Washington, DC 20005-3500

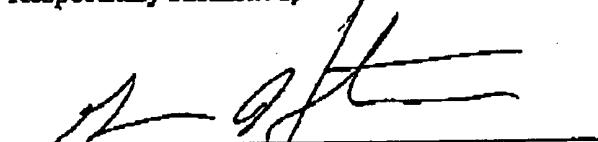
with full power of substitution and revocation, to prosecute the application and to transact
all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to:

John F. Hayden
FISH & RICHARDSON P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500

I hereby declare that all statements made herein of my own knowledge are true and that
all statements made on information and belief are believed to be true; and further that these
statements were made with the knowledge that willful false statements and the like so made are
punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States
Code and that such willful false statements may jeopardize the validity of the application or any
patents issued thereon.

Respectfully submitted,



GREGORY HARTMANN, ESQ.
General Counsel

Date: 10/02/2002

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
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40122834.doc

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MORRISON & FOERSTER LLP
DOUGLAS G. HODDER
425 MARKET STREET
SAN FRANCISCO, CA 94105-2482

MORRISON & FOERSTER

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/07/1999

REEL/FRAME: 010292/0981

NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HAMBRECHT, WILLIAM R.

DOC DATE: 09/28/1999

ASSIGNOR:

HANSSON, OTHAR

DOC DATE: 09/28/1999

ASSIGNOR:

HAYES, JORDAN

DOC DATE: 09/28/1999

ASSIGNOR:

KATZ, ALAN

DOC DATE: 09/27/1999

ASSIGNOR:

OCHERET, CHARLES

DOC DATE: 09/28/1999

ASSIGNOR:

REGAN, MATT

DOC DATE: 09/28/1999

ASSIGNEE:

W.R. HAMBRECHT & CO.
550 15TH STREET
SAN FRANCISCO, CALIFORNIA 94103

SERIAL NUMBER: 09347949
PATENT NUMBER:

FILING DATE: 07/06/1999
ISSUE DATE:

STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

COPY

**ASSIGNMENT
JOINT**

THIS ASSIGNMENT, by William R. Hambrecht, residing at 2500 Steiner Street, San Francisco, California 94115, Othar Hansson, residing at 2900 Seriana Place, Union City, California 94587, Jordan Hayes, residing at 2120 Sixth Street, #8, Berkeley, California 94710, Alan Katz, residing at 4369 San Carlos, Dallas, Texas 75205, Charles Ocheret, residing at 46 Andrea Lane, Scarsdale, New York 10583 and Matt Regan, residing at 135 Morning Star Circle, Wayne, Pennsylvania 19087 (hereinafter referred to as the assignors) witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in AUCTION SYSTEM AND METHOD FOR PRICING AND ALLOCATION DURING CAPITAL FORMATION set forth in an application for Letters Patent of the United States, bearing Serial No. 09/347,949 and filed on July 6, 1999; and

WHEREAS, W. R. Hambrecht & Co., a corporation duly organized under and pursuant to the laws of California and having its principal place of business at 550 15th Street, San Francisco, California 94103 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

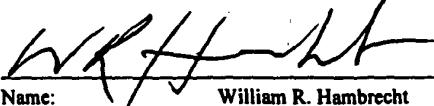
NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successor, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

9-28-99


William R. Hambrecht

Date

Name: **Othar Hansson**

Date

Name: **Jordan Hayes**

Date

Name: **Alan Katz**

Date

Name: **Charles Ocheret**

Date

Name: **Matt Regan**

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

Date 9/28/99 Name: William R. Hambrecht

Date 9/28/99 Name: Othar Hansson

Date 9/28/1999 Name: Jordan Hayes

Date 9/29/99 Name: Alan Katz

Date 9/29/99 Name: Charles Ocheret

Date Name: Matt Regan

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Date Name: William R. Hambrecht

Date Name: Othar Hansson

Date Name: Jordan Hayes

9/27/99 Date Name: Alan Katz

Date Name: Charles Ocheret

Date Name: Matt Regan

**ASSIGNMENT
JOINT**

THIS ASSIGNMENT, by William R. Hambrecht, residing at 2500 Steiner Street, San Francisco, California 94115, Othar Hansson, residing at 2900 Seriana Place, Union City, California 94587, Jordan Hayes, residing at 2120 Sixth Street, #8, Berkeley, California 94710, Alan Katz, residing at 4369 San Carlos, Dallas, Texas 75205, Charles Ocheret, residing at 46 Andrea Lane, Scarsdale, New York 10583 and Matt Regan, residing at 135 Morning Star Circle, Wayne, Pennsylvania 19087 (hereinafter referred to as the assignors) witnesseth:

Side

WHEREAS, said assignors have invented certain new and useful improvements in AUCTION SYSTEM AND METHOD FOR PRICING AND ALLOCATION DURING CAPITAL FORMATION set forth in an application for Letters Patent of the United States, bearing Serial No. 09/347,949 and filed on July 6, 1999; and

WHEREAS, W. R. Hambrecht & Co., a corporation duly organized under and pursuant to the laws of California and having its principal place of business at 550 15th Street, San Francisco, California 94103 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successor, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

Date	Name:	William R. Hambrecht
Date	Name:	Other Hansson
Date	Name:	Jordan Hayes
Date	Name:	Alan Katz
Date	Name:	Charles Ocheret
Date	Name:	Matt Regan

9.28.98



sf-756897

**CHANGE OF
CORRESPONDENCE ADDRESS
Application**

Address to:
Commissioner for Patents
Washington, D.C. 20231

Application Number	09/347,949
Filing Date	July 6, 1999
First Named Inventor	William R. Hambrecht et al.
Group Art Unit	2164
Examiner Name	Charles Kyle
Attorney Docket Number	13085-007001

032466 PTO
10/63281808/04/03
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Please change the Correspondence Address for the above-identified application to:

 Customer Number


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<input checked="" type="checkbox"/> Firm or Individual Name	Fish & Richardson P.C.		
Address	1425 K Street, N.W. 11th Floor Washington, DC 20005-3500		
Country	United States of America		
Telephone	(202) 783-5070	Fax	(202) 783-2331

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the :

- Applicant/Inventor.
- Assignee of record of the entire interest.
Certificate under 37 CFR 3.73(b) is enclosed.
- Attorney or agent of record.
- Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number 44,827

Typed or
Printed Name
for

Signature

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of 1 forms are submitted.

PATENT
Docket No. 422232000100

DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: AUCTION SYSTEM AND METHOD FOR PRICING AND ALLOCATION DURING CAPITAL FORMATION, the specification of which is attached hereto unless the following box is checked:

was filed on July 6, 1999 as United States Application Serial No. 09/347,949.

WE HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
*			<input type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/139,511	June 15, 1999

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Sanjay Bagade (Reg No. 42,280)
 Richard R. Batt (Reg No. 43,485)
 Sean Brennan (Reg No. 39,917)
 Nicholas Buffinger (Reg No. 39,124)
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 Douglas Hodder (Reg No. 41,840)
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 Frank Wu (Reg No. 41,386)

Please direct all communications to:

Douglas G. Hodder
 Morrison & Foerster LLP
 425 Market Street
 San Francisco, California 94105-2482

Please direct all telephone calls to Douglas G. Hodder at (415) 268-6913.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Erwin J. Basinski (Reg No. 34,773)
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 Barry E. Bretschneider (Reg No. 28,055)
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 Franklin Y. Han (Reg No. 41,055)
 Charles D. Holland (Reg No. 35,196)
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 Ararat Kapouytian (Reg No. 40,044)
 Kawai Lau (Reg No. 44,461)
 Richard H. Lilley (Reg No. 42,803)
 Wen Liu (Reg No. 32,822)
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 Thomas D. Mays (Reg No. 34,524)
 Kate H. Murashige (Reg No. 29,959)
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 Robert Saltzberg (Reg No. 36,910)
 Kevin R. Spivak (Reg No. 43,148)
 E. Thomas Wheelock (Reg No. 28,825)
 Karen K. Wong (Reg No. 44,409)

9-28-99

WRH

Date

Name: William R. Hainbrecht
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Citizenship: USA
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Date

Name: Othar Hansson
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Post Office Address: 2900 Seriana Place

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Post Office Address: 4369 San Carlos

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Name: Matt Regan
Residence: Wayne, PA 19087
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9/27/99

Alan Katz

Name: Alan Katz
Residence: Dallas, Texas 75205
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Name: Charles Ocheret
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Citizenship: USA
Post Office Address: 46 Andrea Lane

9.30.98

Date

Name: Matt Regan
Residence: Wayne, PA 19087
Citizenship: USA
Post Office Address: 135 Morning Star Circle
Side